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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/885,436

Filing Date: June 18, 2001

Applicant: Jason F. Hunzinger

Group Art Unit: 2686

Examiner: Nghi H. Ly

Title: COMMUNICATION OF LOCATION INFORMATION IN A
WIRELESS COMMUNICATION SYSTEM

Attorney Docket: 4041L-000090

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Technology Center 2600

Director of The United States Patent and Trademark Office
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RESPONSE TO ELECTION OF SPECIES AND PETITION FOR EXTENSION OF TIME

Sir:

In response to the Office Action mailed June 24, 2004, Paper No. 6, please consider the following.

Applicant hereby petitions under the provisions of 37 C.F.R. § 1.136(a) for a one month extension of time in which to respond to the outstanding Office Action and includes a fee as set forth in 37 C.F.R. § 1.17(a) with this response for such extension of time.

The Examiner has required restriction to one of the following inventions under 35

U.S.C. § 121:

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- I. Claims 1-34 and 39-116, drawn to a system for communication information related to the position of a mobile, classified in class 455, subclass 456.1.
- II. Claims 35-38, drawn to an information type, classified in class 455, subclass 466.

Applicant, without traverse, respectfully requests the Examiner to proceed with Invention I defined by Claims 1-34 and 39-116. Applicant requests that the non-elected Claims be held in abeyance for further prosecution in future divisional and/or continuation applications.

The Examiner has also required an election of species pursuant to 35 U.S.C. § 121 to one of the following patentably distinct species:

- Species I: Claims 2-8, 10-17, 19-22, 24-28, 30-34 and 40-43 direct to a position of the mobile station;
- Species II: Claims 44, 47, 52-59, 88, 111 and 114 direct to a current and past positions of said mobile station;
- Species III: Claims 45, 46, 70-73, 80-83, 89, 90 and 107-110 direct to system, network, user zone and registration zone identification;
- Species IV: Claims 48 and 92 direct to sector status;
- Species V: Claims 49-51, 60-66, 74, 76, 84, 93-101, 103, 112 and 115 direct to pilot signal;
- Species VI: Claims 67, 77 and 104 direct to an estimate of received signal power;

Species VII: Claims 68, 69, 78, 79, 105 and 106 direct to the transmission power level;

Species VIII: Claims 75, 85-87, 102, 113 and 116 direct to the position of the base stations.

Applicant, without traverse, respectfully requests the Examiner to proceed with Species I. Applicant believes that Claims 1-8, 9-17, 18-22, 23-28, 29-34 and 39-43 read on the elected species and that at least Claims 1, 9, 18, 23, 29 and 39 are generic. Applicant requests that the non-elected Claims be held in abeyance for possible rejoinder and/or further prosecution in future divisional and/or continuation applications.

CONCLUSION

It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this Response is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: August 4, 2004
HARNES, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, MI 48303
(248) 641-1600

By: 

Michael J. Schmidt
Reg. No. 34,007

MJS/pmg